

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARK MCKAY,  
Plaintiff,

v.

SHARIF N. ABAZA ,  
Defendant.

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CIVIL ACTION NO. 18-CV-5616

FILED

JAN - 4 2019

By KATE EAGAN, Clerk

ORDER

AND NOW, this  day of January, 2019, upon consideration of *pro se* Plaintiff Mark

McKay's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1), Prisoner Trust Fund Account Statement (ECF No. 3), and Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. Mr. McKay, #18007809, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Mr. McKay, an initial partial filing fee of \$29.75 is assessed. The appropriate official at SCI Rockview or at any other prison at which Mr. McKay may be incarcerated is directed to deduct \$29.75 from Mr. McKay's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 18-5616. After the initial partial filing fee is collected and until the full filing fee is paid, the appropriate official at the George W. Hill Correctional Facility or at any other prison at which Mr. McKay may be incarcerated, shall deduct from Mr. McKay's account, each time that Mr. McKay's inmate trust fund account exceeds \$10.00, an amount no greater than 20 percent of the money

credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 18-5616.

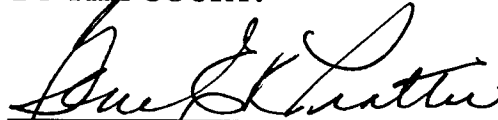
3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Superintendent of SCI Rockview.

4. The Complaint is **DEEMED** filed.

5. The Complaint is **DISMISSED with prejudice** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons set forth in the Court's Memorandum. Mr. McKay may not file an amended complaint in this matter.

6. The Clerk of Court shall **CLOSE** this case.

**BY THE COURT:**



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GENE E.K. PRATTER, J.